REMARKS

The Applicants respectfully request reconsideration and allowance of claims 1-20 in view of the above amendments and the arguments set forth below.

I. THE CLAIM AMENDMENTS

Claim 1 is amended above to clarify that the player and the player's game play request are each associated with a respective bingo card representation **before** the game play record and corresponding bingo card representation are assigned to the player in response to the game play request. As disclosed in the present application at page 28, lines 3-11, each game play request includes information that identifies a respective bingo card representation. This identifying information creates an association between the player and the identified bingo card representation even before a game play record is assigned to the player in response to the player's game play request. It is this prior association between a player and a bingo card representation which allows the present gaming system to identify the correct game play record from the matched card set as described in the application at page 28, lines 3-14 and elsewhere.

Independent claims 8 and 14 are amended similarly to claim 1.

Claim 4 is amended similarly to claim 1, but in the context of an additional game play request.

Claim 11 is amended to specify that additional game play record is assigned based on the identifying information in the game play request from the given player. Again, this use of the identifying information is discussed in the application at page 28, lines 3-14 and elsewhere.

Although the Applicants have amended claims 1, 4, 8, 11, and 14, the Applicants are not conceding in this application that the claims submitted in the response filed April 30, 2009 are not patentable over the art cited in the FOA. The Applicants respectfully reserve the right to pursue the rejected claims and other claims in one or more continuations and/or divisional patent applications.

II. THE CLAIMS ARE NOT OBJECTIONABLE FOR NONSTATUTORY OBVIOUSNESS-TYPE DOUBLE PATENTING OVER CLAIMS FROM THE 776 PATENT.

The FOA rejected claims 1-4, 7-11, and 14-16 on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 3, 7-10, 12, 16-18, 21-22, 28, and 34-36 of U.S. Patent No. 6,802,776 (the "776 patent"). The Applicants respectfully submit that the claims are not objectionable for obviousness-type double patenting. The Applicants' claims are patentably distinct from the claims of the 776 patent because the claims of the 776 patent do not teach or suggest all of the limitations required by Applicants' claims.

It is apparent from the FOA at the bottom of page 19 and the top of page 20 that the rejections over the 776 patent[1] are all based on the proposition that the reference discloses an association between a respective bingo card representation, player, and game play record at the time the player purchases a play in the game and is assigned a given bingo card representation and corresponding game play record. The present claim amendments make clear that the association between the bingo card representation and a respective player in the present system is

[1]and U.S. Patent Application Publication No. 2002/0111207 to Lind et al. (the "207 publication") which is simply the published version of the application that matured into the 776 patent.

an association based on the identification of the bingo card representation in the player's game play request. The amendments further specifically require that this association via the game play request is prior to the assignment of the game play record from the matched card set. Therefore, even if the assignment of a game play record and corresponding bingo card representation in the 776 patent creates an association between the assigned bingo card representation and the player, the 776 patent does not disclose or in any way suggest any association between a bingo card representation and a player **prior to** the assignment of a game play record to the player from a matched card set. This concept of a prior association between a bingo card representation and player is simply foreign to the 776 patent.

For all of these reasons the Applicants respectfully submit that the amended claims are not objectionable for obviousness-type double patenting over claims of the 776 patent. The Applicants therefore request that the obviousness-type double patenting rejection be withdrawn.

III. CLAIMS 1-20 ARE NOT ANTICIPATED BY THE CITED REFERENCES

The FOA rejected claims 1-20 under 35 U.S.C. §102(b) as being anticipated by the U.S. Patent Application Publication No. 2002/0111207 to Lind et al. (the "207 publication") and as being anticipated by the 776 patent. The Applicants respectfully submit that claims 1-20 are not anticipated by either the 776 patent or the 207 publication. Because the 207 publication is simply the published version of the application that matured into the 776 patent, the following comments will refer generally to the 776 patent for the sake of brevity, even though all of the comments apply equally to both references.

As noted in the previous section, the amended claims clarify that the association between a player and their bingo card representation is present from the identifying information included in the game play request, prior to the assignment of a game play record from the matched card set. The 776 patent does not disclose or suggest this arrangement. In contrast, the system disclosed in the 776 patent assigns the game play records randomly (776 patent at col. 16, line 64 to col. 17, line 4). Also, even though the 776 patent discloses assigning game play records to players in response to game play requests, any association between a player and a bingo card representation arising from this assignment in the 776 patent necessarily occurs only once the assignment is made, not before as required by the present claims.

Because the 776 patent and the 207 publication do not teach each element set out in the present claims, the Applicants believe the claims are not anticipated by these references and are entitled to allowance.

V. CONCLUSION

For all of the above reasons, the Applicants respectfully request reconsideration and allowance of claims 1-20.

If the Examiner should feel that any issue remains as to the allowability of these claims, or that a conference might expedite allowance of the claims, he is asked to telephone the Applicants' attorney Russell D. Culbertson at the number listed below.

Respectfully submitted,

The Culbertson Group, P.C.

Dated: 2 June 2010

By: _____

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